

## MINUTES OF REGULAR MEETING January 7, 2015

**1. CALL TO ORDER**

2. "Sunshine Law" Announcement- Adequate notice of this public meeting has been provided by the Notice; published in the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk's Office.

**3. FLAG SALUTE****4. ROLL CALL**

	Present	Absent
Mr. Severino	x	
Mr. Mazza	x	
Mr. Hirt	x	
Ms. McBride	x	
Mr. Bischoff	x	

**5. APPROVAL OF PRIOR MEETING MINUTES**

- a. Regular and Executive Session Meeting Minutes of December 17, 2014  
Ms. McBride said she has an amendment and asked that the Executive Session minutes be approved later.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	x		x			
Mr. Mazza			x			
Mr. Hirt			x			
Ms. McBride		x	x			
Mr. Bischoff			x			

Motion Carried

**6. VISITORS - None****7. REPORTS RECEIVED**

- a. Dept. of Roads & Facilities- Week Ending: 12/12/14; 12/19/14; 12/26/14 Acknowledged
- b. Engineer's Report –
- Mr. Clerico said the Municipal Building project would be addressed during the budgetary process
  - Route 173 project on hold for the winter
  - Municipal Aid for 2015, should hear from the State in the spring
  - Pilot, Traffic Safety Plan submitted by Joe Staigar was distributed to Committee Members; meeting to be set up with State Police to review the Plan
  - State DOT posted weight limit signs on Frontage Road
  - Morris County Cooperative has rebid road projects
  - Tax Maps to be updated, Assessor to provide information
  - Items for Executive Session.

**8. CORRESPONDENCE / WRITTEN COMMUNICATIONS**

## MINUTES OF REGULAR MEETING January 7, 2015

Mr. Severino reported the following correspondence:

- Permit Extension Act: Governor Christie signed a one - year extension.
- Water Infrastructure Protection Act: Would allow sale or lease of public water to private entities. On Governor's desk. Atty. Jost will review.

Mr. Bischoff reported the following correspondence:

- Mentioned NJLM 2015 State Legislative Priorities.

## 9. PUBLIC COMMENTS

- a. Glenn Roth, 712 Marudy Drive, Asbury – Spoke with Road Foreman Craig Hermann about semis turning on Marudy Drive. Provided photos of destruction caused by the vehicles. Believes GPS may be the problem. Suggested a sign be erected to deter trucks from entering Marudy Drive. Atty. Jost mentioned an Ordinance. The Clerk will distribute copies of photos to the Committee.

## 10. PUBLIC HEARING - None

## 11. OLD BUSINESS – None

## 12. NEW ORDINANCE – 1<sup>ST</sup> READING - None

## 13. NEW BUSINESS

- a. The following Resolution was introduced for adoption:

### RESOLUTION #2015-20

#### PUBLIC ALLIANCE INSURANCE COVERAGE FUND RESOLUTION FOR RENEWAL OF MEMBERSHIP

**WHEREAS**, the Township of Union, hereafter referred to as "**Public Entity**" is a member of the Public Alliance Insurance Coverage Fund, hereinafter referred to as "**Fund**"; and

**WHEREAS**, said renewal membership terminates as of January 1, 2015 at 12:01 a.m. standard time, unless earlier renewed by agreement between the **Public Entity** and the **Fund**; and

**WHEREAS**, the **Public Entity** is afforded the following types of coverages (as indicated by an "x"):

- ⊖ Workers' Compensation
- ⊖ Package (property, boiler & machinery, crime, auto & general liability, including Police Professional)
- ⊖ Public Officials Liability
- ⊖ Excess Liability
- ⊖ Auto & General Liability (including Police Professional)
- ⊖ Public Officials Liability
- ⊖ Environmental Impairment Liability

## MINUTES OF REGULAR MEETING January 7, 2015

WHEREAS, the **Public Entity** desires to renew said membership.

NOW THEREFORE, **BE IT RESOLVED** as follows:

1. The **Public Entity** agrees to renew its membership in the **Fund** for a period of three years beginning January 1, 2015, and ending January 1, 2018 at 12:01 a.m. eastern standard time, and to be subject to the coverages, operating procedures, bylaws, and other organizational and operational documents of the **Fund** presently existing or as from time to time amended by the **Fund** and/or the Department of Banking and Insurance.
2. The **Public Entity** hereby appoints Grace Brennan as the **Public Entity's** Fund Commissioner and is authorized to execute the renewal Indemnity and Trust Agreement thereby evidencing annexed hereto and made a part hereof and to deliver same to the **Fund** the **Public Entity's** renewal of its membership.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			x			
Mr. Mazza			x			
Mr. Hirt		x	x			
Ms. McBride			x			
Mr. Bischoff	x		x			

Motion Carried

- b. The following Resolution was introduced for adoption:

**RESOLUTION #2015-21**

**TOWNSHIP OF UNION, HUNTERDON COUNTY**

**PUBLIC ALLIANCE INSURANCE COVERAGE FUND  
INDEMNITY AND TRUST RENEWAL AGREEMENT**

**THIS AGREEMENT**, made this 7<sup>th</sup> day of January 2015, in the County of Hunterdon, State of New Jersey, by and between the Public Alliance Insurance Coverage Fund, hereinafter referred to as "**Fund**", and the Governing Body of Township of Union, hereinafter referred to as "**Public Entity**"; and

WHEREAS, the **Fund** seeks to provide its members with insurance coverage; and

WHEREAS, two or more public entities have collectively formed a joint insurance fund as is authorized and described in N.J.S.A. 40A:10-36 *et. seq.* and the regulations promulgated pursuant thereto; and

WHEREAS, the **Public Entity** has resolved to renew said membership.

NOW, THEREFORE, it is agreed as follows:

1. The **Public Entity** hereby renews its membership in the **Fund** for a three (3) year, beginning January 1, 2015 and ending January 1, 2018 at 12:01 a.m. eastern standard time.
2. The **Public Entity** hereby ratifies and reaffirms the bylaws and other organizational and operational documents of the **Fund** and as from time to time amended and altered by the **Fund**

## MINUTES OF REGULAR MEETING January 7, 2015

and/or Department of Banking and Insurance in accordance with the applicable statutes and regulations as if each and every one of said documents were executed contemporaneously herewith.

3. The **Public Entity** agrees to be a participating member of the **Fund** for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
4. The **Public Entity** agrees that as a member of the Public Alliance Insurance Coverage Fund the **Public Entity** must purchase all types of coverages offered by the **Fund** which are applicable to the **Public Entity**.
5. In consideration of renewal of membership in the **Fund**, the **Public Entity** agrees that for those types of insurance in which it participates, the **Public Entity** shall jointly and severally assume and discharge the liability of each and every member of the **Fund** all of whom, as a condition of membership in the **Fund**, shall execute a verbatim counterpart to this Agreement. By execution hereof the full faith and credit of the **Public Entity** is pledged to the punctual payment of any sums which shall become due to the **Fund** in accordance with the bylaws thereof, this Agreement or any applicable statute or regulation.
6. If the **Fund**, in the enforcement of any part of this Agreement, shall incur necessary expense or become obligated to pay attorney's fees and/or court costs, the **Public Entity** agrees to reimburse the **Fund** for all such reasonable expenses, fees and costs on demand.
7. The **Public Entity** and the **Fund** agree that the **Fund** shall hold all monies paid by the **Public Entity** to the **Fund** as fiduciaries for the benefit of **Fund** claimants all in accordance with applicable statutes and/or regulations.
8. The **Fund** shall establish and maintain Trust Accounts in accordance with N.J.A.C. 11:15-2.13 and such other statutes and regulations as may be applicable.
9. Each **Public Entity** that becomes a member of the **Fund** shall be obligated to execute this Agreement.
10. The Fund Commissioner designated in the Resolution to Renew Membership is hereby authorized to execute the Agreement to renew membership.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			x			
Mr. Mazza			x			
Mr. Hirt		x	x			
Ms. McBride			x			
Mr. Bischoff	x		x			

Motion Carried

- c. Following Resolution introduced for adoption:

## RESOLUTION-2015-22

## TOWNSHIP OF UNION, HUNTERDON COUNTY

## MINUTES OF REGULAR MEETING January 7, 2015

**RISK MANAGEMENT CONSULTANT**

**WHEREAS**, the Township of Union has resolved to join the Public Alliance Insurance Coverage Fund ("PAIC") following a detailed analysis; and

**WHEREAS**, the Bylaws of PAIC require that each entity designate a Risk Management Consultant to perform various professional services as detailed in the Bylaws and Risk Management Plan; and

**WHEREAS**, the Bylaws indicate that PAIC shall pay each Risk Management Consultant a fee to be established annually by the Executive Committee.

**NOW THEREFORE, BE IT RESOLVED** that the Township of Union does hereby appoint Peter G. Tarricone of Wells Fargo Insurance Services as its Risk Management Consultant in accordance with the Fund's Bylaws.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			x			
Mr. Mazza			x			
Mr. Hirt			x			
Ms. McBride		x	x			
Mr. Bischoff	x		x			

Motion Carried

**14. REPORTS****a. Attorney's Report**

- Matters for Executive Session – Potential Litigation

**b. Committee Reports**

Mr. Hirt reported the following:

- Said road signs on Service Road mentioned at the December 17, 2015 have been removed by the County.
- Mr. Hirt said that David Fischer, owner of the former Pattenburg Post Office would be picking up original mailboxes from that Post Office as per discussion at the previous Committee meeting.

Mr. Severino reported the following:

- Mentioned Ashley Furniture Signs; however, not in Union Township.
- Obtained quotes for animal control. Will be discussed at next meeting.

Ms. McBride reported the following:

- Met with DCA regarding the Union Hills rebuilding project.
- Recycling Center - License plate cameras are to be installed in the near future. Will apprise Committee when they are installed.

## MINUTES OF REGULAR MEETING January 7, 2015

- Updated website with information regarding 2015 recycling and Community Cleanup Days
- Mentioned GovDeals.com regarding selling municipal equipment that is no longer in use.
- Highlands Regional Master Plan: Meeting on January 14, 2015 Mr. Hirt to attend.
- Brass Castle Homeowners' Association Re: Striping of Roads. Mr. Mazza and Mr. Hermann reviewed the situation. Work will be done in the spring.

Mr. Bischoff reported the following:

- Quote George Allen "If scientologists, meteorologists, climatologists cannot accurately predict what the weather will be in an upcoming season...how can we be so sure in their prognostications as to what the weather temperature will be 50 or 100 years from now?"
- Matter regarding Pilot. To be discussed in Executive Session.
- Job Descriptions – To be distributed to all Employees
- Matters for Executive Session: Litigation

**c. Mayor's Report**

- Mayor Mazza mentioned an attempted robbery in Bethlehem Twp. off Route 579.

**15. PUBLIC COMMENTS – None**

**16. PAYMENTS OF BILLS - None**

**17. EXECUTIVE SESSION**

**RESOLUTION #2015 – 23**

**Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12**

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et. seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. \_\_\_\_\_ Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
2. \_\_\_\_\_ Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
3. \_\_\_\_\_ Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other

## MINUTES OF REGULAR MEETING January 7, 2015

personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

4. \_\_\_\_\_ Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

5. \_\_\_\_\_ Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

6. \_\_\_\_\_ Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

7. X Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

8 X Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

9. \_\_\_\_\_ Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in public session on January 7, 2015 at 8:15 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		x	X			

## MINUTES OF REGULAR MEETING January 7, 2015

Mr. Mazza			x			
Mr. Hirt		x	x			
Ms. McBride			x			
Mr. Bischoff			x			

Motion Carried

Motion to return to regular meeting session at 8:57 p.m.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	x		x			
Mr. Mazza			x			
Mr. Hirt		x	x			
Ms. McBride			x			
Mr. Bischoff			X			

Motion Carried

**The following motions were introduced after the Committee came out of Executive Session:**

- a. To update the Executive Minutes of December 17, 2014 as discussed in Executive Session.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			x			
Mr. Mazza			x			
Mr. Hirt			x			
Ms. McBride	x		x			
Mr. Bischoff		x	x			

Motion carried

- b. With regard to a Driveway Permit for Block 22, Lot 10, 7 Everett Road not being issued in a timely manner due to an inadvertent oversight, the Township Engineer and Attorney are recommending that the property owner be permitted to bond the entire driveway rather than just the top coat. An estimate will be prepared by the Township Engineer and the temporary access to the property must be to the satisfaction of the Engineer; also, subject to the Engineer and the Attorney as to the form and execution of the document.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	x				x	
Mr. Mazza			x			
Mr. Hirt		x	x			
Ms. McBride			x			
Mr. Bischoff			x			

Motion carried

**18. ADJOURNMENT** – There being no further business to come before the township Committee at this time, Mr. Bischoff made a motion to adjourn. Mr. Severino seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 9:00 p.m.

Respectfully submitted,

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Grace Kocher, Deputy Township Clerk

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Frank Mazza, Mayor